

COMMITTEE ON PLANNING & DEVELOPMENT
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

The COMMITTEE ON PLANNING & DEVELOPMENT met on Monday, August 19, 2002, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:10 p. m.

PRESENT: Mrs. Judith K. Spooner, Council Member District No. 2, Chairman; Mr. Milton Farley, Council Member District No. 1; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; District No. 8, vacant as of August 1, 2002; Mr. James H. Rozier, Jr., Supervisor, Jr., ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act notice of the meeting date, time, place and Agenda was posted on the bulletin board at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Spooner called the meeting to order.

Chairman Spooner stated that an Executive Session was needed for the receipt of legal advise where the legal advise relates to a pending, threatened, or potential claim; settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim; matters relating to the employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body; and other matters covered by the attorney-client privilege.

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to enter into Executive Session for reasons stated. The motion was passed by unanimous voice vote.

The Committee on Planning and Development entered Executive Session at 6:11 p.m. and returned at 7:30 p.m.

Mr. Stokes, County Attorney, stated The Committee on Planning and Development went into Executive Session to discuss matters as stated in the motion; no formal action was taken.

Chairman Spooner asked the Committee's pleasure on the Approval of minutes from Committee on Planning and Development meeting held on July 8, 2002.

It was moved by Councilmember Vaughn and seconded by Councilmember Pinckney to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

First Item:

A. Review prior to Second Reading of Bill No. 02-34, An Ordinance to amend Ordinance No. 99-7-41 and to adopt the most recent version of various International Codes relating to Building, Residential, Gas, Plumbing, Mechanical and Fire Standards.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to send Bill No. 02-34 forward for Second Reading. The motion was passed by unanimous voice vote of the Committee.

Mr. Rozier explained the International Codes mandates that every house in the United States from the West to the East Coast should be built exactly alike; which will increase the cost of building a home from \$2000 -\$20,000. The State of South Carolina is the only state in the Union that has approved the adoption of the International Code. Berkeley County is the only county in the State that has not adopted the International Code.

Councilmember Vaughn indicated the Code goes to the extreme. A homeowner will not even be able to add a screened porch onto his/her home without it being engineered to fit the International Codes. He believes that this will make affordable housing obsolete. "The days of a young couple owning a house is going to diminish immensely with this Code."

B. Review prior to Third Reading of Bill No. 02-09, and Ordinance to amend and clarify certain sections of Ordinance No. 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, - "Berkeley County Zoning Ordinance" and to repeal in its entirety Ordinance No. 99-4-19.

Mr. Harold LeaMond, County Planner, reviewed with Council the following Planning Commission's suggestions as follows:

Article 2.3.5 - Recommends Language be inserted in the paragraph above denoted by a ^(^) requiring the container to be removed from the trailer or chassis in order to be used as a structure – i.e., "When removed from any trailer or chassis on which the container was transported to the site"
At no time, will freight/Cargo containers be permitted to be used as legal signage.

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to approve the suggested language for Article 2.3.5 as presented. The motion was passed by unanimous voice vote of the Committee.

Article 7.1.10 – Recommends removal of a front setback requirement for an accessory structure that is less than that for a primary structure.

Article 7.2.10 – Recommends removal of a front setback requirement for an accessory structure that is less than that for a primary structure.

It was moved by Councilmember Mims and seconded by Councilmember Farley to approve the recommendation for Articles: 7.1.10 and 7.2.10 as presented. The motion was passed by unanimous voice vote of the Committee.

Article 7.4.5 – Recommended that the minimum acreage for a container yard be 5 acres.

It was moved by Councilmember Vaughn and seconded by Councilmember Pinckney to approve the recommendations for Article 7.4.5 as presented. The motion was passed by unanimous voice vote of the Committee.

Article 19.5 – Recommended leaving the Nonconforming Land Uses and Lots language as it currently exists.

It was moved by Councilmember Crosby and seconded by Councilmember Pinckney to not accept the recommendation for Article 19.5 as presented. The motion was passed by unanimous voice vote of the Committee.

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to send Bill No. 02-09 forward for Third and Final Reading. The motion was passed by unanimous voice vote of the Committee. (A copy of Bill No. 02-09 is attached hereto and by reference is made a part hereof.)

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adjourn the Committee on Planning and Development. The motion was passed by unanimous voice vote of the Committee.

The meeting was adjourned at 7:45 p.m.

September 9, 2002
Date Approved

COMMITTEE ON PLANNING AND DEVELOPMENT
(Standing Committee of Berkeley County Council)

Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Milton Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Steve M. Vaughn, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District 7
Vacant, District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the COMMITTEE ON PLANNING AND DEVELOPMENT, Standing Committee of Berkeley County Council, will be held on Monday August 19, 2002, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at 6:00 p.m.

AGENDA

EXECUTIVE SESSION for the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim; settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim; matters relating to the employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body; and other matters covered by the attorney-client privilege.

APPROVAL OF MINUTES

July 8, 2002

A. Review prior to Second Reading of Bill No. 02-34, An Ordinance to amend Ordinance No. 99-7-41 and to adopt the most recent version of various International Codes relating to Building, Residential, Gas, Plumbing, Mechanical, and Fire Standards.

B. Review prior to Third Reading of Bill No. 02-09, an Ordinance to amend and clarify certain sections of Ordinance No. 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, – “Berkeley County Zoning Ordinance” and to repeal in its entirety Ordinance No. 99-4-19.

[Recommended by Planning Commission on August 13, 2002.]

August 14, 2002
S/Barbara B. Austin
Clerk of County Council